

Chapter _____
NO SMOKING IN TOWN OF EAST HAMPTON PARKS

Section 1. DEFINITIONS

A. **“Town park”** means and includes Town-owned parks and open space property as follows: Sears Park, Loos Pond, Peach Farm, Conservation Showcase, Pine Brook Aquifer, Middle Haddam Boat Launch, Middle Haddam Tennis Court, as well as Town-owned open space land.

B. **“Smoke”** or **“smoking”** means and includes: possession, carrying, or holding a lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting or emitting or exhaling of smoke of a pipe, cigar, or cigarette or any kind, or of any other lighted smoking equipment.

Section 2. PROHIBITIONS

Smoking is hereby prohibited in Town parks and open space land at all times.

Section 3. PENALTIES FOR OFFENSES.

The violation of the provisions of this Ordinance shall be an infraction subject to a ninety dollar (\$90.00) fine, enforceable by the East Hampton Police Department. A separate offense shall be deemed committed each such time that a violation of this Ordinance occurs.

Section 4. POSTING OF SIGNS

“No smoking” signs or the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in all the aforementioned parks. Said signs may also be posted on Town-owned open space land at the Town’s discretion.

TOWN OF EAST HAMPTON AGENDA REPORT

AGENDA ITEM: 6A

Item to be presented by: Frank Grzyb
Facilities Manager

DATE: June 24, 2011

SUBJECT: **SENIOR CENTER--ADDITION & RENOVATION**
105 Main Street, East Hampton, CT

DEPARTMENT: Facilities

RECOMMENDED ACTION

None required.

PROJECT UPDATE

Construction for the new addition has started. The chiller unit has been relocated and is back up and running. Excavation for the foundation is in progress, and concrete has been poured for footings. The foundation hole is very wet and pumps are running 24/7. The recent rains are slowing the progress on the foundation. Demolition work is scheduled to start the second week of July in the existing building.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

None.

TOWN OF EAST HAMPTON AGENDA REPORT

Item to be
presented by: Frank Grzyb, Facilities Manager
Ruth Plummer, P&R Director

DATE: June 24, 2011

SUBJECT: **SEARS PARK—BAND SHELL/PERFORMING ARTS GAZEBO**
North Main Street, East Hampton, CT

DEPARTMENT: Facilities Department and Parks & Recreation Department

RECOMMENDED ACTION

Provide Staff with directive as to how to proceed.

BACKGROUND

The original budget to construct a band shell is \$200,000 including design fees. The design portion was bid and only one of the four firms submitted a structure that we might entertain building. Based on their proposal, it would be difficult to construct the proposed plan and stay within the budget.

Planning & Zoning required us to do an acoustical study (attached). If we follow the recommendations from the study and incorporate these into the construction of the band shell, the cost will increase substantially:

- | | |
|---|----------|
| 1. Install a sound system in the band shell – mid-level system (estimated cost) | \$55,000 |
| [Low-end system (estimated cost) \$25,000; High-end system (estimated cost) \$75,000-\$100,000] | |
| 2. Stage lighting in the band shell (estimated cost) | \$12,000 |
| 3. Additional wiring for the sound system and lighting (estimate cost) | \$10,000 |
| 4. Sound barrier concrete construction for the rear and side walls (estimated cost) | \$75,000 |
| 5. Additional design & material testing during construction (estimated cost) | \$35,000 |
| 6. Additional construction contingency (estimated cost) | \$20,000 |

Using the cost for a mid-level sound system, the *additional* estimated cost to construction a band shell \$207,000

These estimated figures are not based on a specific design and could change. The Staff recognized that we could not build the band shell within the \$200,000 Grant amount. However, we are able to build a Performing Arts Gazebo without a sound system and no concrete sound barrier walls within the Grant amount. Attached are P&Z Hearing talking points and P&R letter dated June 8, 2011.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

Additional funds would have to be allocated to this project for an estimated additional cost of \$207,000.

Marc Cote
Consultant in Acoustics
23 Misty Meadow Road
Enfield, CT 06082
(860) 966-7350
Marccote160@yahoo.com

May 19, 2011

Ms. Ruth Plummer
East Hampton Parks and Recreation
240 Middletown Avenue
East Hampton, CT 06424

Re: Sears Field Bandshell Acoustical Study

Dear Ruth,

As requested, I have performed a study on the behalf of the Town of East Hampton related to the proposed construction of a bandshell at Sears Park. I have reviewed the documents for the proposed site of the bandshell at Sears Filed in East Hampton. Based on my understanding of the intended use for the bandshell and a brief visit to the site I have the following comments and recommendations.

COMMENTS AND RECOMMENDATIONS

- The prevailing noise guidelines for this project are the Noise Regulations promulgated by the State of Connecticut Department of Environmental Protection (CDEP). Because music would likely meet the States definition of tonal noise (pure tone) then the maximum allowable music sound level would be 55 dBA during the day and 45 dBA at night where night is defined as 10:00 PM to 7:00 AM
- The general location and orientation of the bandshell shown on the Site Layotu and Utility Plan seems appropriate for acoustical considerations.
- Sound levels can vary greatly from one musical group to the next and the audience area served. It will be necessary to establish an allowable limit based on the bandshell constructed.
- Based on previous experience, the bandshell should be constructed with the following components as a basis:
 - a) Provide a wall behind the full extent of the stage plus another 15-20 feet and with side walls extending the full depth of the stage.
 - b) The stage should have an angled canopy extending from the rear wall to the front edge of the stage to help direct sound toward the audience and provide a higher performance barrier to locations behind the bandshell.
 - c) If possible the bandshell should be at least 15 feet deep.
 - d) All walls of the bandshell should be constructed of materials with at least an STC rating of 40 preferably with sufficient mass to isolate low frequency sound. Concrete is a generally a good option, but it is possible that wood frame construction could work.
- Without knowing the desired audience area and determining a pre-established limit that would be imposed on all performances. It is not possible to predict the actual sound levels at neighboring

properties even without a bandshell. However, if we assume a potential maximum sound levels of 95 dBA at 50 feet from the stage (this is an arbitrary but plausible limit), I expect the following with a bandshell constructed in the manner described above:

Properties to the North of Park: 60-70 dBA
Properties to the West: 55-60 dBA
Properties along Sears Lane: 50-55 dBA

Based on these estimations I recommend the following:

- a) Provide a seating area which defines the audience area to a relatively short distance from the stage, preferable wider than deep.
- b) Consider Elevating the stage such that the loudspeakers serving the audience will be aimed down toward the audience rather than straight directly horizontal.
- c) Based on estimations to the properties along the north side, the audience area be contained with its own barrier which could potentially be incorporated into the seating. The required height will be dependent on the size of the audience area. The barriers behind the audience and the bandshell should overlap to provide a convoluted path for sound to escape.
- d) Unless other provisions can be made, I expect that performances in the bandshell will need to be restricted daytime hours (before 10:00 PM).

Providing this additional barrier as well as providing an in-house sound system to control the dispersion of sound as much as possible should make it possible to reduce the music sound levels at all neighboring residences to the daytime Connecticut DEP limits.

NEXT STEPS

- I recommend providing these design guidelines to architects or other professional designers to submit alternate designs for your pricing and review. I would be happy to review these for there acoustical values upon your request within the scope of current agreement.
- Determine within the Town what size audience that you are intending to serve and what types of acts that you intend to promote for this facility. This information should also be provided to the architect/design professional for there inclusion in the overall design.
- Confirm that the bandshell does not need to be used after 10:00 PM.
- I will provide some design guidance for a "house" sound system as previously mentioned that would be tailored to the range of performances and the size of audience expected.
- Once the bandshell and audience containment walls/seats are constructed, we must establish an allowable sound level in the audience area which corresponds with meeting the CDEP limits the neighboring properties. Once this is done, you will be able to determine if a performance is exceeding CDEP noise limits at neighboring properties by measuring the sound level in the audience area. The exact measurement protocol will vary on many factors and cannot likely be

determined until the bandshell is constructed. When the time arrives, I can certainly assist the Town in this process.

It has been a pleasure to prepare this report on your behalf. Please let me know if you any questions and if you are ready for me to review subsequent design proposals for the bandshell.

Sincerely,

A handwritten signature in cursive script that reads "Marc A. Cote".

Marc Cote



CLA

TALKING POINTS FOR DISCUSSION OF BAND SHELL PROJECT (prepared for Planning and Zoning approval for the July 6, 2011 Public Hearing)

- Staff heard and considered concerns voiced by residents, boards and commissions.
 - Concerns included; Only 4 firms submitted proposals for a band shell none of which included a memorial to Governor O'Neil. Only one design came close to something we might entertain. Staying with the budget. Appropriateness and size of facility within the confines of the park; enclosed structure facing away from the street is an attractive nuisance for vandalism and loitering
 - Band shell implied concerts, liquor being served; crowds, traffic Band shell performances emit noise in a neighborhood already sensitive to noise issues.
- Sound attenuation plan obtained at the request of P&Z.
 - Challenges of the sound attenuation plan became budgetary. Implementing recommendations such as construction of 15-20 foot walls constructed of materials with at least an STC rating of 40; preferably concrete construction; provide a seating area for the audience area to a relatively short distance from stage; consider elevating the stage; contain audience area with its own barrier; design and install an in-house sound system to control the dispersion of sound.
 - Recommendations we are able to incorporate are: Placement of facility seems appropriate for acoustical considerations; establish an allowable sound level limits; determine a pre-established limit that would be imposed on all performances; restrict use of the facility to day time hours (before 10:00pm). Monitor impact of sound on neighboring residents and adjust practices or facility as needed.

At this point staff knew this band shell could not be built within budget. So we have changed the project to be the following:

The Governor William O'Neil Performing Arts Gazebo

- A smaller structure that fits the architecture and historical significance of Sears Park.
- Programming objectives are for family oriented programs. We would not entertain loud bands and or concert venues but small performances small musical performances, magic shows, play variety groups.
- The Parks and Recreation Department will be the sponsoring/ co-sponsoring entity for all venues.
- The Parks and Recreation Advisory Board, (steward of Sears Park by ordinance) will approve, decline or recommend all proposed uses of this facility over an pre-established limit just as they do the Pavilion use requests

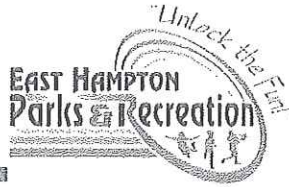
- Established Guidelines will be based on current practices
 - Basically we will continue to do what we currently do on the plywood stage but in a nicer facility in memory of the Governor.
 - Current programming considerations that will carry over to new facility
 - Crowds are controlled by limited parking spaces. Once the lots are full no other cars can enter.
 - Only vehicle sticker requirements are waived for entrance during special events. Vehicles towing boats into the park still need to have stickers on the car and the boat.
 - Concerts are not successful in Sears Park. The Goff House started a very successful gazebo concert series in the Village Center a few years ago with Parks and Recreation's support and sponsorship. We do not intend to compete with this.
 - Historically successful programming includes Movies in the Park; variety show performance by Sears Park Camp put on for the Senior Citizens; One band every 3 to 4 years during a festival or celebration. Magic shows.
 - Occasionally a music concert would be restricted to acoustic, instrumental or small jazz venues.
 - During festivals or special events this facility would be perfect for face painting, balloon character entertainer, an amber alert station; popcorn and sno-cone station.

MAILING ADDRESS:

20 East High St.; East Hampton, CT 06424

DROP-IN LOCATION:

240 Middletown Ave.; East Hampton, CT 06424
(ofc) 860-267-7300, (fax) 860-267-7800



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To: John Weichsel, Interim Town Manager
From: Ruth G. Plummer, Director
Re: Performing Arts Gazebo

Date: June 8, 2011

At the regular meeting of the Parks and Recreation Advisory Board the members discussed staff's recommendation to change the scope of the band shell project in Sears Park.

After much discussion John Wright made the following motion: Due to financial constraints and other concerns the Parks and Recreation Advisory Board is in support of changing the band shell project to a "performing arts gazebo in memory of Governor William A. O'Neil. The Advisory Board and Parks and Recreation Department will work out appropriate, family oriented programming guidelines for the use of the facility. Dan Roy seconded the motion. All approved (5-0).

Cc: Parks and Recreation Advisory Board
Planning and Zoning Commission
Jeff Jylkka, Finance Director
Benjamin Barnes, Secretary, State of CT OPM



EAST HAMPTON POLICE DEPARTMENT INTEROFFICE MEMORANDUM

TO: MR. JOHN WEICHSEL: TOWN MANAGER
FROM: MATTHEW A. REIMONDO: CHIEF OF POLICE
SUBJECT: NOISE COMPLAINTS
DATE: 6/22/2011

AS PER YOUR REQUEST I AM PROVIDING YOU WITH A SUMMARY OF NOISE COMPLAINTS FROM MAY 27TH, 2011 UNTIL PRESENT.

THE DEPARTMENT HAS RESPONDED TO A TOTAL OF 851 CALLS FOR SERVICES, 11 OF WHICH WERE NOISE RELATED. THE NOISE COMPLAINTS ARE BROKEN DOWN AS FOLLOWS:

4 - AT ANGELICO'S: 5/22/11

5/27/11

5/28/11

5/28/11

2 - AT LOCO PERRO: 5/27/11

5/27/11

THE REMAINING 5 CALLS ARE FROM VARIOUS RESIDENCES NOT RELATED TO COMMERCIAL ESTABLISHMENTS.

IF YOU NEED ANY ADDITIONAL DATA PLEASE CONTACT MY OFFICE.

MATTHEW A. REIMONDO
CHIEF OF POLICE

**Nancy Hasselman, CCMC
Collector of Revenue
Town of East Hampton**

June 24, 2011

To: The East Hampton Town Council

Please find copies of tax refunds for your review. The total refunds equal \$64.97.

Thank you for your assistance.

Nancy Hasselman, CCMC

Nancy Hasselman, CCMC
Collector of Revenue

24.00 +
40.97 +
64.97 G+